

REMARKS

Applicants respectfully request reconsideration of the present application in view of the foregoing amendments and in view of the reasons that follow.

This amendment changes claims in this application. A detailed listing of all claims that are, or were, in the application, irrespective of whether the claim(s) remain under examination in the application, is presented, with an appropriate defined status identifier.

Claims 1-6, 9-17 and 21-24 were pending in the application. Claims 6 and 21 have been amended. Claims 1-5 and 12-17 have been withdrawn from consideration. Claims 6, 9-11 and 21-24 are pending for consideration.

As an initial matter, applicants note that the Office Action Summary has a box checked indicating that the present action is Final. The Office Action on page 2, however, clearly states that "This Office Action presents a new ground of rejection and is therefore made NON-FINAL." For the purposes of this response, applicants will treat the present Office Action as a non-final Office Action.

Further, applicants note that pending claims 21-24 were not addressed in the Office Action. Claims 21-24 were added in the Amendment and Reply filed on May 1, 2003. Applicants respectfully request that the Examiner address claims 21-24 in the next Office Action.

Still further, applicants filed a Claim for Convention Priority claiming the benefit of prior foreign applications with certified copies of the original foreign applications on April 20, 2001. Applicants again respectfully request that the Examiner acknowledge applicants' claim for foreign priority and receipt of the certified copies of the priority documents.

Information Disclosure Statement

Applicants filed an Information Disclosure Statement (“IDS”) with accompanying PTO Form 1449 listing a number of documents on April 20, 2001. The Office Action indicates on page 4 that no such IDS is present in the file. Applicants submit herewith in a separate letter, a copy of the IDS, accompanying Form PTO-1449 and documents along with the date-stamped postcard indicating receipt by the Patent Office. Applicants respectfully request that any listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO-1449 be returned in accordance with MPEP §609.

Rejection under 35 U.S.C. § 102

Claims 6 and 9-11 stand rejected under 35 U.S.C. § 102(b) as being anticipated by JP 57-007255 to Yokoyama et al. (hereafter “Yokoyama”). Applicants respectfully traverse this rejection for at least the following reasons.

Claim 6 is directed to a method of producing a methanol reforming catalyst. Claim 6, as amended, recites preparing a metal oxide support using powder selected from the group consisting of Ce oxide powder, Zr oxide powder and Ce-Zr complex oxide powder to provide the support consisting essentially of a material selected from the group consisting of Ce oxide, Zr oxide and Ce-Zr complex oxide. The metal oxide support is then impregnated with a solution containing Pd and Zn. Yokoyama does not suggest preparing a metal oxide support consisting essentially of a material selected from the group consisting of Ce oxide, Zr oxide and Ce-Zr complex oxide using appropriate powders, where the support is then impregnated with a solution containing Pd and Zn.

Yokoyama discloses producing a catalyst wherein a metal oxide such as alumina is impregnated with a solution containing Pd and Zn (see Derwent abstract). Thus, the support of Yokoyama is alumina, in contrast to the support as recited in claim 1, which consists

essentially of a material selected from the group consisting of Ce oxide, Zr oxide and Ce-Zr complex oxide.

Moreover, the use of a metal oxide powder selected from the group consisting of Ce oxide powder, Zr oxide powder and Ce-Zr complex oxide powder in the metal oxide support as recited in claim 6 provides advantages not suggested by Yokoyama. The use of Ce oxide powder for a support can reduce CO concentration. The use of Zr oxide powder for a support can suppress grain-growth of the catalyst and increases the durability of the catalyst. At least in view of these advantages, the method of claim 6 is not obvious over Yokoyama, which discloses an alumina support.

For at least the reasons given above, applicants submit that independent claim 6 is patentable over Yokoyama. Dependent claims, 9-11 and 21-24, which ultimately depend from independent claim 6, are patentable for at least the same reasons as claim 6, as well as for further patentable features recited therein. Accordingly, applicants respectfully request that the rejection of the claims under 35 U.S.C. § 102 be withdrawn.

Applicant believes that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Examiner is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Respectfully submitted,

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